

REMARKS

Applicants appreciate the Examiner's consideration provided the present application. Claims 48-80 are now present in the application. Claims 1-47 have been cancelled. Claims 48-80 have been added. Claims 48, 77 and 79 are independent. Reconsideration of this application, as amended, is respectfully requested.

Claims Not Treated On The Merits

Applicants had submitted a Preliminary Amendment dated May 10, 2001, which indicated that claims 1-36 are pending in the present application and claims 5-9, 12-16, 19, 22, 24, and 26-30 had been amended to remove the improper multiple dependencies.

However, the Examiner indicated in the instant Office Action that claims 1-47 are pending in the present application and examined those claims. Applicants respectfully submit that those claims are not presented in the present application. Applicants believe that those claims belonged to a co-pending application, Application No. 10/048,286, now U.S. Patent No. 6,610,990. As required by the USPTO, a copy of that co-pending application was submitted to the USPTO. Eventually, those claims have inadvertently been entered by the USPTO staff as the claims for the present application.

To timely advance the prosecution of the application, as the Examiner will note, claims 1-47 have been simply cancelled, and claims

48-80 have been presented for the Examiner's consideration. However, if the Examiner raises new rejection(s) to claims 48-80 in the subsequent Office Action, **the subsequent Office Action must be made non-final because the Examiner failed to treat the claims of the present application on the merits in the first Office Action.** Favorable consideration and allowance of claims 48-80 are respectfully requested.

Specification

The representative of Applicants has checked the PAIR system and found that the specification considered by the Examiner was received on Oct 01, 2002, which was after the filing date of the present application, August 13, 2001. Again, Applicants believe the specification of the above co-pending application has inadvertently been entered by the USPTO staff as the specification for the present application.

Accordingly, a copy of the originally filed specification, abstract and drawings are submitted to replace the specification of the above co-pending application. Applicants respectfully submit that no new matter is entered. **Entry of the correct specification, drawings and abstract is earnestly solicited.**

Distinctions Between The Present Invention And The Utilized**References**

To further clarify the present invention, Applicants respectfully submit that independent claims 1 and 77 recite "said waveguide being UV transparent and wholly surrounding the ultraviolet lamp" and independent claim 79 recites the step of "wholly surrounding the ultraviolet lamp with a UV transparent waveguide". Applicants respectfully submit that the above limitations as set forth in independent claims 1, 77 and 79 are not disclosed nor suggested by the references relied on by the Examiner.

Bailey, U.S. Patent No. 6,028,315, discloses a cleaning apparatus comprising a hollow column 110, a sealed unit 111 and an air passage 112 (see FIG. 5; col. 5, lines 50-51, 54-55 and 59-60). The sealed unit 111 and an air passage 112 are inside the hollow column 110, and the sealed unit 111 contains a gas capable of emitting UV light (see col. 5, lines 55-60). Bailey also teaches that the compressed air is passed into the air passage 112, rises to the upper end of the hollow column 110, and exits through the holes 122 at the upper end of the hollow column 110, thereby having a cooling effect on the sealed unit 111 (see FIGs 5 and 6; col. 5, lines 63-66; col. 6, lines 27-29). Therefore, Bailey fails to teach the above limitations as set forth in independent claims 1, 77 and 79 because the holes 122 make the hollow column 110 impossible to wholly surround the sealed unit 111.

With regard to Spero, U.S. Patent No. 3,911,318, and Boyce, U.S. Patent No. 6,183,637, these references have only been relied on for their teachings of the wavelength, the contaminator, etc. These references also fail to disclose the above limitations as set forth in claims 1, 77 and 79. Accordingly, these references fail to cure the deficiencies of Bailey.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of independent claims 1, 77 and 79 or their dependent claims. Therefore, Applicants respectfully submit that all of the claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, favorable consideration and allowance of claims 48-80 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely show the state of the prior art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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